

To: MAIL STOP PETITIONS

From: Leslie Ray for Steven J. Munson

11-28-06 4:32pm p. 1 of 10

Please find attached for filing in connection with application no. 09/971,954, entitled AUDIO-ON DEMAND COMMUNICATION SYSTEM, the following documents:

- * Renewed Petition under 37 CFR 1.78(a)(3) (3 pages)
- * Amendment (4 pages)
- * Fee Transmittal (1 page)

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Technology Group, LLC**1700 NW 187th Place, Suite 240
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Phone: 503.439.6500
Fax: 503.439.6558**Fax****To:** MAIL STOP PETITIONS**From:** Steven J. Munson**Fax:** 571.273.8300**Pages:** 9**Phone:****Date:** November 28, 2006**Our Ref:** 015.P010**CC:**☐ **Urgent**☐ **For Review**☐ **Please Comment**☐ **Please Reply**☐ **Please Recycle**

Please find attached for filing in connection with application no. 09/971,954, entitled AUDIO-ON DEMAND COMMUNICATION SYSTEM, the following documents:

- Renewed Petition under 37 CFR 1.78(a)(3) (3 pages)
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CERTIFICATE OF FACSIMILE TRANSMISSION

*I hereby certify that this correspondence is being transmitted by facsimile to the
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November 28, 2006*Date of Transmission*Leslie C. Ray*Name of Person Transmitting Correspondence*Leslie C. Ray*Signature***BEST AVAILABLE COPY**

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PTO/SB/17 (07-06)

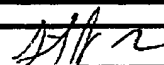
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2006		Complete If Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/871,954
		Filing Date	10/4/01
		First Named Inventor	Glaser et al.
		Examiner Name	Wen Tai Lin
		Art Unit	2154
TOTAL AMOUNT OF PAYMENT (\$) 1370.00		Attorney Docket No.	015.P010

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	
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FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description						Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims						Multiple Dependent Claims	
Extra Claims						Fee (\$)	Fee Paid (\$)
- 20 or HP = _____ x _____ = _____							
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims						Fee (\$)	Fee Paid (\$)
Extra Claims							
- 3 or HP = _____ x _____ = _____							
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)
- 100 = _____		/ 50 = _____		(round up to a whole number) x _____			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)						Fees Paid (\$)	
Other (e.g., late filing surcharge): <u>Petition fee under 37 CFR 1.17(i)</u>						<u>\$1370.00</u>	

SUBMITTED BY		
Signature		Registration No. (Attorney/Agent) 47,812
Name (Print/Type)	Steven J. Munson	Telephone 503-439-6500
		Date November 28, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket: 015.P010 (RN30C1C2)

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In re Patent Application of: Glaser et al.

Examiner: Wen Tai Lin

Application No.: 09/971,954

Art Unit: 2154

Filed: October 4, 2001

Confirmation No. 5632

For: AUDIO-ON-DEMAND
COMMUNICATION SYSTEMRENEWED PETITION UNDER 37 CFR 1.78(a)(3)COMMISSIONER FOR PATENTS
Mail Stop Petitions
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee hereby renews its petition to the Office to accept an unintentionally delayed reference to a prior co-pending patent application in the above-identified patent application.

In a petition decision mailed September 28, 2006, Assignee's petition to accept a delayed priority claim was dismissed because a referenced application did not include at least one common inventor. Assignee inadvertently, and with no deceptive intent, incorrectly identified the application number of a related application as US Application Serial No. 09/538,525 when the related application should have been identified as US Application Serial No. 09/568,525. In response to that decision, Assignee is submitting an amendment correcting the above-identified typographical error.

In compliance with 37 CFR 1.78(a)(3)(i), this petition is accompanied by an amendment to amend the above-identified application to include a reference to prior related applications.

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Attorney Docket: 015.P010 (RN30C1C2)

In compliance with 37 CFR 1.78(a)(3)(ii), this petition is accompanied by the fee set forth in 37 CFR 1.17(t).

In compliance with 37 CFR 1.78(a)(3)(iii), Assignee hereby states that the entire delay in filing a corrected reference to prior co-pending patent applications from which priority is claimed was unintentional.

Attorney Docket: 015.P010 (RN30C1C2)

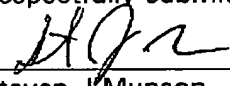
CONCLUSION

In view of the foregoing, it is respectfully requested that this renewed petition be granted and that the accompanying preliminary amendment be entered in the above-identified patent application. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3130.

Dated: November 28, 2006

Respectfully submitted,



Steven J. Munson
Reg. No. 47,812

Berkeley Law and Technology Group, LLC
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Customer No. 43831

I hereby certify that this correspondence is being submitted via facsimile or deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

November 28, 2006
Date of TransmissionLeslie Ray
Name of Person Transmitting CorrespondenceLeslie Ray
Signature